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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/052,664

01/17/2002

Paul David Cannon

ROCH-001DIV

24353 BOZICEVIC, FIELD & FRANCIS LLP 200 MIDDLEFIELD RD SUITE 200 MENLO PARK, CA 94025 CONFIRMATION NO. 4008
FORMALITIES LETTER
\*OC000000007554411\*

Date Mailed: 02/28/2002

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

## Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - The specification cannot be scanned or properly stored. Page(s)
    - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photographic, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 10-37 are not in compliance with 37 CFR 1.52(a). The drawings filed are unacceptable because:

Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.

A copy of this notice MUST be returned with the reply.

RECEIVED

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Bozicevic, Field & Francis

CKH RMP

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Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Date | April 30, 2002

lexed for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/052,664 January 17, 2002 TRANSMITTAL Filing Date **FORM** First Named Inventor CANNON, PAUL D. Group Art Unit 1632 (to be used for all correspondence after initial filing) **Examiner Name** To Be Assigned Total Number of Pages in This Submission Attorney Docket Number **ROCH001DIV** ENCLOSURES (check all that apply) 冈 Fee Transmittal Form Assignment Papers After Allowance Communication (for an Application) to Group Fee Attached Drawing(s) Appeal Communication to Board Amendment / Reply of Appeals and Interferences Licensing-related Papers After Final Appeal Communication to Group Petition (Appeal Notice, Brief, Reply Brief) Affidavits/declaration(s) Proprietary Information m **Extension of Time Request** Petition to Convert to a (ji) Provisional Application **Express Abandonment Request** Status Letter Power of Attorney, Revocation Change of Correspondence 131 Information Disclosure Statement Other Enclosure(s) (please Address identify below): Certified Copy of Priority **Terminal Disclaimer** m Response to Notice to File **Documents** :===== **Corrected Application** Request for Refund Papers (2 pgs.) Response to Missing Parts/ **Notice to File Corrected** Incomplete Application CD, Number of CD(s)\_ **Application Papers** (1 pg.) Response to Missing Parts **Substitute Specification** under 37 CFR 1.52 or 1.53 (35 pgs.) Return Postcard Remarks SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm PAULA A. BORDEN, Reg. No. 42,344 Individual Name Signature Date April 30, 2002 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: April 30, 2002 Typed or printed name Cindy Kim Hoang Signature

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#### **COPY OF PAPERS ORIGINALLY FILED**

PTO/SB/17 (10-01)

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# FEE TRANSMITTAL for FY 2002

Complete if Known					
Application Number	10/052,664				
Filing Date	January 17, 2002				
First Named Inventor	CANNON, PAUL D.				
Examiner Name	To Be Assigned				
Group Art Unit	1632				

101112002						_		First N	amed I	nvent	CANNON, PAUL D.			
Patent fees are subject to annual revision.						Examir			To Be Assigned					
							Γ	Group Art Unit			1632			
TOTAL AMOUNT OF PAYMENT (\$) 110.00						(\$) 110.00		Attorney Docket No.			ROCH001DIV			
		-	METHO	OD OF	PAYMENT		Г							
1.5	The f					oboros indicada d	1	FEE CALCULATION (continued)  3. ADDITIONAL FEES						
The Commissioner is hereby authorized to charge indicated fees and credit overpayments to: Deposit Account Number 50-0815 Deposit Account Name Bozicevic, Field & Francis LLP Charge Any Additional Fee Required Under 37 CFR 1.1 6 and 1.17 Applicant Claims small entity status.					Fee Code 105 127	Large Entity Fee		Smal Entity Fee (\$) 65	II y Fee Description Fee Paid Surcharge – late filing fee or oath					
	See 37 CFR 1.27					'*'	30	221	23	Surcharge – late provisional filing fee or cover sheet				
	2. Payment Enclosed:						139	130	139	130	Non-English specification			
	☐ Check ☐ Credit Card ☐ Money Order ☐ Other					147	2,520	147	2,520	For filing a request for ex parte reexamination				
				CALC	JLATION		112	920*	112	920*	Requesting publication of SIR prior to Examination action			
L	arge		3 FEE Small Er Fee Fe		Description	F D-14	113	1,840*	113	1,840	0*Requesting publication of SIR after Examiner action			
		(\$)	Code (\$)	)		Fee Paid	115	110	215	55	Extension for reply within first month 110.00			
			201 37 206 16		y filing fee		116	400	216	200	Extension for reply within second month			
					gn filing fee		117	920	217	460	Extension for reply within third month			
			207 25 208 37		filing fee		118	1,440	218	720	Extension for reply within fourth month			
					sue filing fee		128	1,960	228	980	Extension for reply within fifth month			
<b>'</b>	14	160 2	214 80	Provi	isional filing fee		119	320	219	160	Notice of Appeal			
				SL	JBTOTAL (1	0.00	120	320	220	160	Filing a brief in support of an appeal			
1. E	XTRA	CLAIN	M FEES				121	280	221	140	Request for oral hearing			
					Fee from		138	1,510	138	1,510	Petition to institute a public use proceeding			
Total	Claima	00**	Extra	Claims	below	Fee Paid	140	110	240	55	Petition to revive – unavoidable			
	Claims Claims	-20** -3**	_=_	<u>x</u>	x	=	141	1,280	241	640	Petition to revive – unintentional			
	le Depe						142	1,280	242	640	Utility issue fee (or reissue)			
							143	460	243	230	Design issue fee			
							144	620	244	310	Plant issue fee			
	Entity		Entity		_		122	130	122	130	Petitions to the Commissioner			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	F	ee Description		123	50	123	50	Processing fee under 37 CFR 1.17(q)			
103	18	203	9	Clair	ms in excess of	20	126	180	126	180	Submission of Information Disclosure Stmt			
102	84	202	42	Independent claims in excess of 3			581	40	581	40	Recording each patent assignment per property (times number of properties)			
104	280	204	140	Multiple dependent claim, if not paid			146	740	246	370	For each additional invention to be examined (37 CFR § 1.129(a))			
109	84	209	42	42 ** Reissue independent claims over original patent			149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))			
110	18	210	9		issue claims in d d over original		179 169	740 900	279 169	370 900	Request for Continued Examination (RCE) Request for expedited examination			
					BTOTAL (2)	•					of a design application			
					-: VIAL (2)	P V.UU	Other	fee (spe	cify)					

SUBMITTED BY		Comp	lete (if applicable)	
Name (Print/Type)	Paula A. Borden  Registration No. (Attorney/Agent)	42,344	Telephone	(650) 327-3400
Signature	Danke of		Date	04/30/2002

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 110.00

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\*\*or number previously paid, if greater; For Reissues, see above.

RESPONSE TO NOTICE TO FILE	Attorney Docket	ROCH001DIV		
CORRECTED APPLICATION	Confirmation No.	4008 Cannon		
PAPERS	First Named Inventor			
	Application Number	10/052,664		
A 11	Filing Date	January 17, 2002 1632 To Be Assigned HUMAN INTESTINAL Npt2B		
Address to:	Group Art Unit			
Box Patent Application Assistant Commissioner for Patents	Examiner Name			
Washington, D.C. 20231	Title			

Sir:

This paper is responsive to the Notice to File Corrected Application Papers dated February 28, 2002 for which a two-month period for response was given making this response due on or before April 28, 2002. A Petition for a One-Month Extension of Time is submitted herewith, making this amendment due on or before May 28, 2002. Accordingly, this response is timely filed.

#### I. REMARKS

The Notice to File Corrected Application Papers stated that pages 10-37 of the specification filed on January 17, 2002 do not comply with the requirements of 37 C.F.R.§1.52(a), and required a Substitute Specification.

A Substitute Specification in compliance with 37 C.F.R.§ 1.52 is filed herewith. The undersigned hereby certifies that the Substitute Specification contains no new matter.

Atty Dkt. No.: ROCH001DIV

USSN: 10/052,664

#### II. CONCLUSION

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number ROCH001DIV.

> Respectfully submitted, **BOZICEVIC, FIELD & FRANCIS LLP**

nå.

Paula A. Borden

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